

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOSE ALFARO,

Plaintiff,

v.

JASON DANIEL GANDY,

Defendant.

Civil Action No. 4:18-cv-01761
(Jury Trial Demanded)

REPORT IN LIEU OF MEDIATION

Pursuant to the Court's scheduling order (Dkt. No. 14), Counsel for Plaintiff respectfully submits this Report in Lieu of Mediation. On December 18, 2018, Defendant was sentenced to 360 months in prison in the related criminal case for charges stemming from running a massage parlor using underage age boys, one of whom was Jose Alfaro. Due to the emotional state that sentence has evoked, and Defendants' relative inaccessibility to his counsel in this matter, counsel for both Plaintiff and Defendant have conferred and determined that mediation is inappropriate at this time because it would be futile.

Dated: February 1, 2019

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Danielle J. Healey

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that the Plaintiff, through his counsel, has conferred with Defendant, most recently by email on Friday, February 1, 2019.

/s/ Danielle J. Healey
Danielle Joy Healey

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing pleading has been served upon all counsel of record by electronic mail by the Clerk of the Court via the CM/ECF system this 1st day of February, 2019.

/s/ Danielle J. Healey
Danielle Joy Healey